

24.0 SITE DEVELOPMENT PLAN

24.1 INTENT

There is a mutual responsibility between the Town and the developer to develop land in an orderly manner.

The purpose of this section is to encourage innovative and creative design and facilitate use of the most advantageous techniques and highest standards in the development of land in the Town; and to ensure that land is used in a manner which is efficient, harmonious with neighboring property and in accordance with the adopted comprehensive plan for the Town and with the provisions of this ordinance.

Nothing herein shall require the approval of any development, use or plan, or any feature thereof, which shall be found by the Planning Commission, the Town Council, or the Zoning Administrator, an agent of the Town Council, to constitute a danger to the public health, safety or general welfare, or which shall be determined by such Planning Commission, Town Council or Zoning Administrator, to be departure from or violation of sound engineering design or standards.

Compliance with the provisions of this section shall in no event be construed to relieve the applicant of the duty of compliance with all other provisions of the law applicable to the development in question.

24.2 WHEN REQUIRED

24.2.1 A site development plan shall be required for any construction, use, change in use or other development in all zoning districts; provided that no such plan shall be required for the following:

- a. The construction or change in occupancy of any single-family detached dwelling unit which is located upon a tract or parcel whereon are located or proposed to be located an aggregate of two (2) or fewer such units.
- b. The location of a two-family dwelling on any lot or parcel not occupied by any other dwellings.
- c. Any accessory structure to a single-family or two-family dwelling.
- d. Any agricultural activity.

24.2.2 The foregoing notwithstanding, after notice in accordance with section 24.7.3, the Planning Commission may waive the drawing of a site development plan in a particular case upon a finding that the requirement of such plan would not forward the purposes of this ordinance or otherwise serve the public interest; provided that no such waiver shall be made until the Planning Commission has considered the recommendation of the Zoning Administrator. The Zoning Administrator may recommend approval, approval with conditions, or denial of such waiver. In the case of conditional approval, the Zoning Administrator in his or her recommendation shall state the relationship of the recommended condition to the provisions of this section. No condition shall be imposed which could not be imposed through the application of the regulations of section 24.

24.3 IMPROVEMENTS – CONSTRUCTION AND BONDING

All improvements required by this section shall be installed at the cost of the developer, except where cost sharing or reimbursement agreements between the Town and the developer are appropriate, the same to be recognized by formal written agreement prior to site development plan approval.

24.3.1 The approval of a site development plan or the installation of the improvements as required by this section shall not obligate the Town to accept improvements for maintenance, repair or operation. Acceptance shall be subject to Town and/or state regulations, where applicable, concerning the acceptance of each type of improvement.

24.3.2 Prior to the final approval of any site development plan, there shall be executed by the owner or developer an agreement to construct all physical improvements required by or pursuant to this section which are to be dedicated to public use. The Zoning Administrator may require, prior to final approval, issuance of a building permit, or issuance of a certificate of occupancy, a bond with surety approved by the Zoning Administrator in an amount sufficient to cover the estimated costs of such improvements. In determining the estimated costs of the improvements to be bonded, the owner or developer shall submit an estimate of such costs which shall be reviewed by the Zoning Administrator and approved by the Town Council. The agreement and bond shall provide for and be conditioned upon completion of all work within a time specified by the Zoning Administrator. The completion of all other improvements required by or pursuant to this section shall be certified and/or bonded.

24.4 REVISIONS

No change, revision or erasure shall be made on any preliminary or final site development plan nor on any accompanying data sheet where approval has been endorsed on the plan or sheet unless authorization for such change is granted in writing by the Zoning Administrator, except where such change has been required by the Planning Commission. Any site development plan may be revised, provided that request for such revision shall be filed and processed in the same manner as the original site development plan.

24.5 APPEALS (Amended 4-16-2004)

The Town Council reserves unto itself the right to review all decisions of the Planning Commission made in the administration of section 24 which, in its discretion, it shall deem necessary to the proper administration hereof.

Any person aggrieved by any decision of the Planning Commission in the administration of this section may demand a review of the application by the Town Council. Such demand shall be made by filing a request therefor in writing to the Zoning Administrator in the Office of the Town Clerk within thirty (30) calendar days of the date of such decision. The Town Council may affirm, reverse or modify, in whole or in part, the decision of the Planning Commission. In so doing, the Council shall give due consideration to the recommendations of the Planning Commission. In addition, it may consider such other evidence as it deems necessary for a proper review of the application.

Any person aggrieved by a decision of the Planning Commission, may demand a review by the Commission of the specific decision concerned. Such request shall be made in writing and filed with the Zoning Administrator within thirty (30) calendar days of the date of such decision.

For the purposes of this section, the term *person aggrieved* shall be limited to the applicant, persons required to be notified pursuant to section 24.7.3, the Planning Commission or any member thereof, the Zoning Administrator, the Town Council or any member thereof.

24.6 WAIVER, VARIATION AND SUBSTITUTION

24.6.1 The Planning Commission may waive, vary or accept substitution for any requirement of section 24.11 in a particular case upon a finding that requirement of such improvement would not forward the purposes of this ordinance or otherwise serve the public interest; or in the case of substitution, that such alternative will satisfy the purpose of this ordinance to at least an equivalent degree as the required improvement.

24.6.2 Whenever, because of unusual size, topography, shape of the property, location of the property or other unusual conditions, excluding the proprietary interests of the developer, strict application of the requirements of section 24.11 would result in significant degradation of the site or adjacent properties, the requirement may be varied or waived by the Planning Commission; provided that such variance or waiver shall not be detrimental to the public health, safety or welfare, to the orderly development of the area, or to sound engineering practices, or to adjacent properties.

24.6.3 Upon finding in any case that by substitution of technique, design or materials of comparable quality, but differing from those required by section 24.4, a developer will achieve results which substantially satisfy the overall purposes of this ordinance in a manner equal to or exceeding the desired effects of the requirement in section 24.11, the Planning Commission may approve such substitution of technique, design or materials.

24.6.4 A developer requesting waiver, variation or substitution pursuant to this section shall file with the Zoning Administrator in the Office of the Town Clerk a written request which shall state reasons and justifications for such request together with such alternatives as may be proposed by the developer. Such request shall be submitted prior to Planning Commission consideration of the preliminary or final plan, but not later than the site plan review committee revision deadline. No such request shall be considered by the Planning Commission until the Commission has considered the recommendation of the Zoning Administrator. The Zoning Administrator may recommend approval, approval with conditions or denial. A recommendation of approval or conditional approval shall be accompanied by a statement from the Zoning Administrator as to public purpose served by such recommendation, particularly in regard to the purpose and intent of this ordinance, the subdivision ordinance, and the comprehensive plan.

24.7 PRELIMINARY PLAN SUBMITTAL

24.7.1 Applications for preliminary plan approval shall be submitted to the Planning Commission. Plans which lack information required by section 24.9 shall be deemed to be incomplete and shall be rejected by the Zoning Administrator within ten (10) days of submittal.

24.7.2 The developer shall revise the plan to include all requirements of the Planning Commission and shall submit such revisions by a date prescribed by the Zoning Administrator. Where the revised plan does not include required revisions, the Zoning Administrator shall suspend review and notify the applicant in writing that the plan shall not proceed until required revisions are complete as determined by the Zoning Administrator.

Nothing contained herein shall obligate the developer to revise the plan to include recommendations of the Planning Commission. However, in such case in which the developer does not revise the plan to include recommendations of the Planning Commission, the developer shall submit in writing to the Zoning Administrator by the revision date a statement as to the reasons and justification for not incorporating such recommendations in the revised plan.

24.7.3 Notice of preliminary plan submission shall be sent by first class mail to the last known address of all owners of property adjacent to the development. In any case in which the property so adjacent is owned by the applicant, notice shall be given to the owners of the next adjoining property not owned by the applicant. Mailing to the address shown on the current real estate tax assessment books of Albemarle County or Fluvanna County shall be deemed adequate compliance with this requirement. No preliminary plan shall be approved within ten (10) calendar days of the date of the mailing of such notice. The notice shall state the type of use proposed, specific location of development, where the preliminary plan may be viewed and date of Planning Commission meeting.

24.7.4 The Planning Commission shall approve or disapprove the application within sixty (60) calendar days from the date of the application, except in those cases where the Zoning Administrator has suspended review of the preliminary plan under section 24.7.2 of this ordinance. It may consider such evidence as it deems necessary for a proper review of the application.

In approving a preliminary plan, the Planning Commission may determine to review in whole or in part the final site development plan.

24.7.5 Any person aggrieved by a decision of the Zoning Administrator, or the Planning Commission, may appeal the specific decision concerned pursuant to section 24.5 of this ordinance.

24.8 FINAL SITE DEVELOPMENT PLAN SUBMITTAL

24.8.1 A final site development plan shall be submitted within six (6) months of the date of Planning Commission approval of the preliminary plan. In any case, the final site development plan shall be submitted within one (1) year of the Planning Commission approval of the preliminary plan or the preliminary plan approval shall expire.

The site development plan shall be reviewed by the Planning Commission if there is substantial change from the approved preliminary plan or if the Commission requested review of the plan during preliminary plan approval.

During the above time period, the applicant shall work to satisfy the conditions of the preliminary plan approval and to obtain tentative approvals for the final site development plan.

The final site development plan shall be reviewed in accordance with the regulations of section 24 in effect at time of preliminary site development plan approval.

24.8.2 Application for final site development plan approval shall be submitted to the Zoning Administrator in the office of the Town Clerk.

Plans which lack items required in section 24.10 shall be deemed to be incomplete and shall be rejected by the Zoning Administrator.

24.8.3 The Zoning Administrator shall transmit application for final site development plan approval to the Planning Commission for its review. The Commission shall review such application for technical compliance with the provisions hereof and any conditions of approval of the preliminary plan.

24.8.4 Approval of the final site development plan pursuant to this section shall expire twelve (12) months after the date of approval unless actual building construction shall have commenced and is thereafter prosecuted in good faith.

24.8.5 Any person aggrieved by a decision of the Planning Commission, may appeal the specific decision concerned pursuant to section 24.5 of this ordinance.

24.9 PRELIMINARY PLAN CONTENT

24.9.1 Ten (10) clearly legible blue or black line copies of a preliminary plan shall be filed with the Town Clerk.

24.9.2 If revisions are necessary, seven (7) full-sized revised copies and one (1) reduced revised copy no larger than eleven (11) inches by seventeen (17) inches shall be submitted by the revisions deadline.

24.9.3 All waiver requests shall be submitted with the preliminary plan and clearly state the specific items being requested for waiver.

24.9.4 The preliminary plan shall be dimensioned to the accuracy standards required in section 24.9.6.r.

24.9.5 The preliminary plan shall be prepared to the scale of one (1) inch equals twenty (20) feet or to such scale as may be approved by the Zoning Administrator in a particular case; no sheet shall exceed forty-two (42) inches by thirty-six (36) inches in size. The preliminary plan may be prepared on one (1) or more sheets. If prepared on more than one (1) sheet, match lines shall clearly indicate where the several sheets join.

24.9.6 The preliminary plan shall contain the following information:

- a. The name of the development; name of the owner, developer and individual who prepared the plan; tax map and parcel number; zoning; together with description of any variances, zoning proffers and bonus factors applicable to the site; town, county and state; north point; scale; one datum reference for elevation (where section 17, *Flood Hazard Overlay District – FH*, is involved, United States Geological Survey vertical datum shall be shown and/or correlated to plan topography); the source of the topography; the source of the survey; sheet number and total number of sheets; date of drawing; date and description of latest revision; owner, zoning, tax map and parcel number and present use of adjacent parcels; departing lot lines; minimum setback lines, yard and building separation requirements; vicinity map at a scale of one (1) inch equals two thousand (2,000) feet; and boundary dimensions.
- b. Written schedules or data as necessary to demonstrate that the site can accommodate the proposed use, including: proposed uses and maximum acreage occupied by each use; maximum number of dwelling units by type; gross residential density; square footage of recreation area, percent and acreage of open space; maximum square footage for commercial and industrial uses; maximum number of employees; maximum floor area ratio and lot coverage if industrial; maximum height of all structures; schedule of parking including maximum amount required and amount provided; and maximum amount of impervious cover on the site; if a landscape plan is required, maximum amount of paved parking and vehicular circulation areas.
- c. If phasing is planned, phase lines and proposed timing of development.
- d. Existing topography indicating, for up to twenty (20) percent slope, maximum five (5) foot contours and, for over twenty (20) percent slope, maximum ten (10) foot contours. Proposed grading displaying maximum five (5) foot contours supplemented where necessary by spot elevations; areas of the site where existing slopes are twenty-five (25) percent or greater. Existing topography for the entire site and a minimum of two hundred (200) feet outside of the site unless otherwise approved by the Zoning Administrator.
- e. Existing landscape features as described in section 24.11.9.4.c.
- f. The name and location of all watercourses and other bodies of water adjacent to or on the site. Indicate if the site is located within a reservoir watershed.
- g. Location of septic setback lines from watercourses including intermittent streams and other bodies of water.
- h. One hundred year flood plain limits as shown on the official flood insurance maps for the Town of Scottsville, Albemarle County or Fluvanna County.

- i. Existing and proposed streets, access easements and travelways, together with street names, state route numbers, right-of-way lines and widths, centerline radii, and pavement widths.
- j. Location and size of existing water and sanitary sewer facilities and easements, storm sewer facilities, drainage channels; and drainage easements.
- k. Proposed conceptual lay-out for water and sanitary sewer facilities and storm drainage facilities including storm detention ponds or structures, indicating direction of flow in all pipes and watercourses with arrows.
- l. Location of other existing and proposed utilities and utility easements.
- m. Location of existing and proposed ingress to and egress from the site, showing the distance to the centerline of the nearest existing street intersection.
- n. Location and dimensions of all existing and proposed improvements including: buildings (maximum footprint and height) and other structures; walkways; fences; walls; trash containers; outdoor lighting; landscaped areas and open space; recreational areas and facilities; parking lots and other paved areas; loading and service areas together with the proposed paving material types for all walks, parking lots and driveways; and signs.
- o. All areas intended to be dedicated or reserved for public use.
- p. Landscape plan in conformance with section 24.11.9.
- q. Where deemed appropriate by the Zoning Administrator due to intensity of development, estimated traffic generation figures for the site based upon current Virginia Department of Highways and Transportation rates for residential land uses, and the Federal Highway Administration Publication *Development and Application of Trip Generation Rates* for all other land uses. Indicate the estimated vehicles per day and direction of travel for all connections to a public road.
- r. The preliminary plan shall be dimensioned to at least the following standards for accuracy:
 - 1. Boundary, setback and zoning lines – one foot in one thousand (1:1,000) feet;
 - 2. Existing contours – one-half (½) of the contour interval required in section 24.9.6.d, above;
 - 3. Proposed contours – within five (5) feet horizontally and vertically;
 - 4. Existing structures, utilities and other topographic features – within five (5) feet;
 - 5. Proposed structures, roads, parking lots and other improvements – within five (5) feet.
- s. The Zoning Administrator or the Planning Commission may require additional information to be shown on the preliminary plan as deemed necessary in order to provide sufficient information for the staff and/or Planning Commission to adequately review a preliminary plan.

24.10 FINAL SITE DEVELOPMENT PLAN CONTENT

24.10.1 Final site development plans together with amendments thereto shall be prepared and sealed by an architect, professional engineer, land surveyor with a 3(b) license, or landscape architect, all of whom shall be licensed to practice in the Commonwealth of Virginia.

24.10.2 Final site development plans shall be prepared on mylar, sepia or other such transparency material which shall be termed as the master drawing. Ten (10) clearly legible blue or black line copies of the master drawing shall be filed with the Office of the Town Clerk for forwarding to the Planning Commission.

24.10.3 Six (6) copies of a landscape plan shall be filed with the site development plan if not previously submitted.

24.10.4 If revisions are necessary, seven (7) full-sized revised copies shall be submitted by the revision deadline. When the plan is ready for final approval, the full-sized revised master drawing shall be submitted for signatures. Once signatures have been obtained, the applicant shall submit four (4) copies of the signed master drawing to the Office of the Town Clerk for forwarding to the Zoning Administrator.

24.10.5 The final site development plan shall be prepared to the scale of one (1) inch equals twenty (20) feet or larger; no sheet shall exceed thirty-six (36) inches by forty-two (42) inches in size. The site development plan may be prepared on one (1) or more sheets. If prepared on more than one (1) sheet, match lines shall clearly indicate where the sheets join.

24.10.6 The final site development plan shall reflect conditions of approval of the preliminary plan. The final site development plan shall contain the following information in addition to all the information required on the preliminary plan:

- a. Specific written schedules or notes as necessary to demonstrate that requirements of this ordinance are being satisfied. In addition to preliminary plan information, indicate if sale or rental units; number of bedrooms per unit, and number of units per building if multi-family; specifications for recreational facilities.
- b. Proposed grading plan displaying, for up to twenty (20) percent slope, maximum two (2) foot contours and, for over twenty (20) percent slope, maximum five (5) foot contours.
- c. Detailed plans for proposed water and sanitary sewer facilities, including: all pipe sizes, types and grades; proposed connections to existing or proposed central systems; location and dimensions of proposed easements and whether the same are to be publicly or privately maintained; profiles and cross sections of all water and sewer lines including clearance where lines cross; all water main locations and sizes; valves and fire hydrant locations; all sanitary sewer appurtenances by type and number; the station on the plan to conform to the station shown on the profile and indicate the top and invert elevation of each structure.
- d. Detailed construction drainage and grading plans:
 1. Profiles of all ditches and channels whether proposed or existing. Show: existing and proposed grades, and invert of ditches, cross pipes or utilities; typical channel cross sections for new construction; and actual cross sections for existing channels intended to remain;
 2. Profiles of all storm sewer systems showing existing and proposed grades;
 3. Plan view of all drainage systems with all structures, pipes and channels numbered or lettered on the plan and profile views. Show sufficient dimensions and bench marks to allow field stake out of all proposed work from the boundary lines;
 4. A drainage summary table for culverts, storm sewer and channels as described in the following example:

Structure Number	Description	Length	Invert In	Invert Out	Slope	Remarks
1	42" RCP Class III	50'	424.50	424.00	100.00%	Provide 2, EW
2	DI-3B	L=8	426.00	432.00	-	IS-1 Top
3	PG-2A	400'	420.00	400.00	5.00%	D=12"
4	Grade Swale	200'	420.00	415.00	2.50%	D=18"

5. A legend showing all symbols and abbreviations used on the plan;
 6. General notes, typical sections, and details of all items not covered by Virginia Department of Highways and Transportation standard drawings;
 7. Flood plain limits for the one hundred year storm for all watercourses with an upstream drainage area of fifty (50) acres or more provided that the Town building inspector may waive this requirement for drainage areas of less than one hundred (100) acres upon determination that such information is unnecessary for review of the proposed development.
- e. Typical street sections together with specific street sections where street cut or fill is five (5) feet or greater; centerline curve data; radius of curb returns or edge of pavement; location, type and size of proposed ingress to and egress from the site; together with culvert size; symmetrical transition of pavement at intersection with existing street; the edge of street surface or face of curb for full length of proposed street; when proposed streets intersect with or adjoin existing streets or travelways, both edges of existing pavement or travelway together with curb and gutter indicated for a minimum of one hundred (100) feet or the length of connection, whichever is the greater distance.
- f. Signature panels for fire official, Albemarle County Service Authority, Virginia Department of Health, Virginia Department of Highways and Transportation, and Thomas Jefferson Soil and Conservation District.
- g. For all parking and loading areas, indicate: size; angle of stalls; width of aisles and specific number of spaces required and provided, and method of computation. Indicate type of surfacing for all paved or gravel areas.
- h. The final site development plan shall be dimensioned to at least the following standards for accuracy:
1. Boundary, setback and zoning lines – one foot in ten thousand (1:10,000) feet;
 2. Existing contours – one-half (½) of the contour interval required in section 24.10.6.b, above;
 3. Proposed contours – within one (1) foot horizontally and vertically;
 4. Spot elevations – within one-tenth (0.10) of a foot;
 5. Existing structures, utilities and other topographic features – within two (2) feet. For critical structures, accuracy should be within one-tenth (0.10) of a foot;

6. Proposed structures, roads, parking lots and other improvements – within one one-hundredth (0.01) of a foot.

i. Landscape plan in conformance with section 24.11.9.

24.11 MINIMUM STANDARDS FOR IMPROVEMENTS

24.11.1 COMPREHENSIVE PLAN

The comprehensive plan for Scottsville provides a framework within which public and private decisions can promote the most beneficial arrangement of land use and related public services. The comprehensive plan provides for a balanced development policy which accommodates future growth while preserving existing amenities.

There is a mutual responsibility between the Town and the developer to develop land in an orderly manner in accordance with the intent of the comprehensive plan. The comprehensive plan shall serve as a guide to the developer in preparation of a site development plan. All agencies of the Town shall employ, and all other public agencies are encouraged to employ, the standards and recommendations of the comprehensive plan in review of site development plans.

24.11.1.1 In the case of any construction, use, change of use or other development required to be reviewed by the Planning Commission under section 15.2-2232 of the Virginia Code, the provisions of this ordinance shall be deemed supplementary to the said section and shall be construed in accordance therewith. Any public area, facility or use as set forth in paragraph (A) of section 15.2-2232 of the Code which is within, but not the entire subject of, an application under this section, shall be reviewed by the Planning Commission as to whether or not the same is substantially in accord with the comprehensive plan as well as for compliance with the design standards hereof. Approval of such application shall be deemed approval of such area, facility or use pursuant to section 15.2-2232 (A), (B) and (D) of the Code, subject to review by the Town Council pursuant to section 24.5 hereof, which review shall, as to such area, facility or use, be deemed to constitute review pursuant to section 15.2-2232 (B) of the Code. Upon approval or disapproval of any plan showing such facility, the Planning Commission shall promptly communicate its findings to the governing body by forwarding the same in writing to the Clerk of the Town Council.

24.11.1.2 Site development plans may include provision for the reservation and/or dedication of suitable areas for parks, schools, open space and other public facilities, utilities and uses as recommended in the adopted comprehensive plan for the Town. The developer shall confer with the Town Council or its agent, the Zoning Administrator, and/or other appropriate public officials of the Town to ascertain if, and when, and in what manner such areas should be reserved for acquisition by the Town. Nothing in this provision shall be construed to preclude the dedication of any property for public use which is not included in the comprehensive plan, provided such property is acceptable to the Town for dedication and maintenance. The Town Council may require, as a condition precedent to approval of the development, that the developer allocate space necessary for public purposes, to the extent that the same shall be reasonably necessitated by the particular development. Where the particular development contributes in part, along with other development or developments in the area, to the need for such facilities, the developer may be required to contribute lands, on a *pro rata* basis, for such facilities as are reasonably attributable to the particular development.

24.11.1.3 Where the comprehensive plan indicates a proposed right-of-way greater than that existing on the boundaries of a site development plan, such additional right-of-way shall be reserved for public use when the plan is approved by the measurement of setback from such proposed right-of-way line.

24.11.2 SAFE AND CONVENIENT ACCESS, CIRCULATION, PEDESTRIAN WAYS, PARKING AND LOADING

Each development shall be provided with safe and convenient ingress from and egress to one (1) or more public roads designed to: reduce or prevent congestion in the public streets; minimize conflict and friction with vehicular traffic on the public street and on-site; minimize conflict with pedestrian traffic; and provide continuous and unobstructed access for emergency purposes such as police, fire and rescue vehicles. To these ends, the Planning Commission in review of a site development plan may specify the number, type, location and design of access points to a public street together with such measures as may be deemed appropriate to ensure adequate functioning of such access points.

24.11.2.1 Each entrance onto any public road for vehicular traffic to and from each development shall be subject to the approval of the Planning Commission upon the advice of the resident engineer of the Virginia Department of Highways and Transportation and other staff and shall be constructed in accordance with the design standards of the Virginia Department of Highways and Transportation.

24.11.2.2 Where discharge waters of the one hundred year storm could reasonably be anticipated to inundate, block, destroy or otherwise obstruct the principal means of access to a residential development or part thereof:

- a. The principal means of access shall be designed and constructed so as to provide unobstructed access at time of flooding subject to the requirements of section 17, *Flood Hazard Overlay District – FH*; and/or
- b. Alternative vehicular access available to all dwellings and not subject to flooding shall be provided.

24.11.2.3 For a development of fifty (50) or more residential units, reasonably direct vehicular access shall be provided from all residential units to two (2) public street connections. The foregoing notwithstanding, the Planning Commission for any scale of residential development may require two (2) points of access to a public street where such access is deemed warranted due to the character of the residents of such development including but not limited to the elderly, handicapped and developmentally disabled.

24.11.2.4 The Planning Commission may require provision for and/or construction of travel lanes or driveways to serve adjoining properties. The pavement of vehicular travel lanes or driveways designed to permit vehicular travel on the site and from adjacent property and parking areas shall be not less than twenty (20) feet in width.

24.11.2.5 On any site bordering a primary, arterial or interstate highway, or adjacent to an existing service road in the state highway system, the developer, in lieu of providing travel lanes or driveways that provide vehicular access to and from adjacent parking areas and adjacent property, may dedicate where necessary, and construct a service road in accordance with existing standards for the Virginia Department of Highways and Transportation for such roads. In no such event shall the setback requirement be greater if the service road is dedicated than the setback required without dedication, except that in no event shall a building be constructed closer than twenty (20) feet from the nearest right-of-way line. Upon satisfactory completion, inspection and application by the developer, the Town shall take the necessary procedural steps to have such service road accepted by the Virginia Department of Highways and Transportation for maintenance.

24.11.2.6 On-site parking and circulation shall be designed and constructed in accordance with section 4.11, *Off-Street Parking and Loading Requirements*, subject to approval in accordance with sound engineering practices, including but not limited to grade, drainage and paving specifications; and Zoning Administrator approval of the safe and convenient vehicular circulation patterns.

24.11.2.7 Provision shall be made for sidewalks and pedestrian walkways which will enable pedestrians to walk safely and conveniently between buildings on the site and from the site to adjacent property. When

feasible, pedestrian underpasses or overpasses are to be encouraged in conjunction with major vehicular routes. Provision shall be made where appropriate for pedestrian walkways in relation to private and public areas of recreation and open space such as schools, parks, gardens and areas of similar nature. Connection shall be made wherever possible of walkways and bicycle ways with similar facilities in adjacent developments. All sidewalks and curbs and gutters proposed to be accepted for maintenance by the Virginia Department of Highways and Transportation shall be built in accordance with the construction standards of the Virginia Department of Highways and Transportation and shall conform to the provisions of section 15.2-2021 of the Virginia Code. All other sidewalks and walkways shall conform to section 15.2-2021 of the Code and shall be of material, specifications and design approved by the Town. Sidewalks and pedestrian walkways may be required on one or both sides of streets to the reasonable satisfaction of the Planning Commission in residential subdivisions of a proposed density of two (2) or more dwelling units per acre and in commercial and industrial developments whenever the Commission shall determine that the same are reasonably necessary to protect the public health, safety and welfare and that the need therefor is substantially generated by the proposed development.

24.11.3 STREETS AND ROADS

In the case of any site development plan involving multiple uses, including multiple dwelling units, the principal means of access thereto shall conform to the standards of the Virginia Department of Highways and Transportation or in the case of a private road to the standards of the Town as set forth in the subdivision ordinance, whether or not the property is proposed to be subdivided. The Planning Commission may waive this requirement for access ways between adjoining properties and emergency access ways required pursuant to section 24.11.2 of this ordinance.

24.11.3.1 The Town Council or the Zoning Administrator, may modify street geometric design standards for local, collector and minor loop streets or private roads, provided that:

- a. Approval for modification is obtained from the Virginia Department of Highways and Transportation where applicable;
- b. Off-street parking spaces are provided to compensate for the loss of on-street parking due to modification of geometric design standards;
- c. The developer shall be responsible for the placing of “no parking” signs on all travel lanes, driveways or streets to prohibit parking on such roads or driveways. Where cul-de-sac turnarounds are utilized under this modification, if the right-of-way radius is fifty (50) feet and the paved radius is forty (40) feet, the developer shall install “no parking” signs for the complete circle where such signs are required by the Planning Commission. If the right-of-way radius is increased to sixty (60) feet and the paved radius is increased to fifty (50) feet, parking on the turnaround may be permitted.

24.11.3.2 All cul-de-sacs shall have a turning radius of at least fifty (50) feet. In the case of any such street which is not part of the state highway system, the Planning Commission may require at least one sign of a type approved by the Planning Commission be posted giving notice that such street is not a through street.

No road segment ending in a cul-de-sac or loop street shall serve more than forty-nine (49) residential units except as provided in section 24.11.2 of this ordinance.

24.11.3.3 In any case where existing public street right-of-way is less than fifty (50) feet, additional right-of-way shall be dedicated to provide for a fifty (50) foot width. Such dedication shall be measured to be twenty-five (25) feet from the existing street centerline except as otherwise required by the Planning Commission. In any case where the Planning Commission determines that a right-of-way in excess of fifty (50) feet will be necessary to serve the traffic which may reasonably be expected to be generated by the proposed development,

such greater width of right-of-way may be required by the Commission. Public street right-of-way of less than fifty (50) feet may be permitted upon recommendation of the Virginia Department of Highways and Transportation.

24.11.4 DRAINAGE, STORMWATER MANAGEMENT AND SOIL EROSION

24.11.4.1 Provisions shall be made for the disposition of surface water run-off from the site including such on-site and off-site drainage facilities and drainage easements as the Planning Commission may deem adequate.

24.11.4.2 Provisions shall be made for the minimization of pollution of downstream watercourses and ground-water where such measures are deemed warranted by the Planning Commission due to the peculiar character of a particular use. This provision shall not apply to residential use.

24.11.4.3 All provisions for soil erosion and sedimentation control shall comply with the provisions of the Scottsville Soil Erosion and Sedimentation Control Ordinance.

24.11.4.4 In review of site development plans, the site plan review committee should refer to the U. S. Natural Resource Conservation Service, *Soil Survey of Albemarle County, Virginia, August, 1985* in commenting as to soil suitability for the intended development including specific reference to Table 10 Building Site Development, Table 12 Construction Materials, and Table 16 Soil and Water Features. In such case where soils are rated as poor or severely limited for an intended use, or where high seasonal water table and/or hydrologic group D soils are encountered, the shall so notify the Planning Commission will recommend special design measures.

24.11.5 WATER, SEWER AND OTHER UTILITIES

Adequate provision shall be made by the developer for all utilities, both on-site and off-site. Where deemed appropriate by the Planning Commission in accordance with section 24.11.1, the developer shall provide easements through the development for extension of such utilities to other properties.

24.11.5.1 Within the service areas of the Albemarle County Service Authority and where the Planning Commission determines public water and/or sewer to be reasonably available, such service shall be extended by the developer. All such facilities shall be constructed to Albemarle County Service Authority specifications and dedicated to the Albemarle County Service Authority. Except as otherwise provided by Albemarle County Service Authority policy, all costs shall be borne by the developer.

24.11.5.2 All public facilities, utility and drainage easements outside the right-of-way of public streets are to be shown on the final site development plan provided that new easements may be generally shown and accurately dedicated by separate plat. Utility installation in public streets and rights-of-way shall be coordinated with street construction plans and profiles approved by the Virginia Department of Highways and Transportation resident engineer for Albemarle County

24.11.5.3 No site development plan shall be approved by the Planning Commission without verification from the Albemarle County Service Authority and Town fire official that adequate capability exists to serve such development including required fire flows together with all other approved developments to be served by such system. Where the development is to be served by a central water or sewer system other than the Albemarle County Service Authority, no approval shall be granted until the requirements of Title 15.2, Chapter 21, Article 2 of the Virginia Code have been satisfied. Where service is proposed by individual well or septic system, no approval shall be granted until written approval from the Virginia Department of Health has been received by the Zoning Administrator.

24.11.6 FIRE PROTECTION

In areas where public water is deemed reasonably available by the Planning Commission, fire hydrants and distribution systems shall be provided by the developer. Hydrant locations and fire flow requirements shall be as prescribed by Insurance Service Offices (ISO) standards and subject to approval of the Town fire official. Access ways for emergency vehicles shall be provided as specified by the fire official. In areas where public water is not reasonably available, the fire official may require such alternative provisions as deemed reasonably necessary to provide adequate fire protection.

24.11.7 RECREATION REQUIREMENTS

Recreational areas shall be provided as required by the Planning Commission.

24.11.8 SIGNS AND LIGHTING

24.11.8.1 Signage shall be approved by the Planning Commission in accordance with section 4.14, *Signs*, of this ordinance, or, if within the historic or entrance corridor overlay districts, in accordance with sections 18, *Historic Overlay District – H*, and 19, *Entrance Corridor Overlay District – EC*. Approval of a site development plan shall in no fashion be deemed as approval of any signage except such signs as may be specifically required by the Planning Commission to regulate traffic, prohibit parking or to serve some other purpose of this ordinance.

24.11.8.2 Outdoor lighting shall be directed away from roadways and adjacent properties and shielded where necessary.

24.11.9 LANDSCAPING AND SCREENING REQUIREMENTS

The purpose of these requirements is to provide for the installation, preservation and maintenance of plant materials intended to:

- a. Ensure development which is consistent with the goals of the comprehensive plan related to natural resources and with the plan's environmental and land use standards;
- b. Promote the public health, safety and welfare;
- c. Conserve energy by providing shade and wind breaks;
- d. Provide pervious area which helps to reduce run-off and to recharge groundwater;
- e. Improve air quality;
- f. Minimize noise, dust and glare;
- g. Promote traffic safety by controlling views and defining circulation patterns;
- h. Protect and preserve the appearance, character and value of the neighboring properties.

24.11.9.1 WHEN REQUIRED

Whenever a site development plan is required by this ordinance, a landscape plan shall be required as precedent to final site development plan approval. The foregoing notwithstanding, a landscape plan shall be

required at time of preliminary plan review: when the impervious coverage of the site exceeds eighty (80) percent of the gross site area; when the Zoning Administrator determines that due to unusual circumstances, conditions of the site or by character of the proposed use, review at the preliminary plan stage is warranted; or in any case where required by the Planning Commission.

24.11.9.2 ADMINISTRATION AND APPEAL

- a. The Zoning Administrator in review of the landscape plan shall consider comments from other agencies before approving the plan, including the Virginia Department of Highways and Transportation and the Albemarle County Service Authority. Once the landscape plan is approved, no changes may be made unless the revision has been approved by the Zoning Administrator.
- b. Required landscaping may be bonded in accordance with section 24.3 to ensure completion prior to the issuance of a certificate of occupancy. All required landscaping shall be completed by the first planting season following the issuance of a certificate of occupancy. A maintenance bond for the required landscaping shall be posted by the developer in favor of the Town. If the landscaping is completed prior to the issuance of a certificate of occupancy, then the maintenance bond shall be posted prior to the issuance of a certificate of occupancy. If the landscaping is bonded for completion, rather than completed prior to the issuance of a certificate of occupancy, then the maintenance bond shall be posted when the materials are planted and before the completion bond is released.

The maintenance bond shall be in the amount of one-third ($\frac{1}{3}$) of the value of required trees and/or shrubs, and shall be held for a period of twelve (12) months following the planting date.

At the end of the twelve (12) month time period, the bond shall be released if all required plantings are in healthy condition as determined by the Planning Commission. Thereafter, required landscaping shall be maintained in healthy condition by the current owner or property owner's association, and replaced when necessary. Replacement material shall conform to the original intent of the landscape plan. When existing plantings are preserved in lieu of required new plantings, the bond shall be calculated according to the replacement value of plantings which meet minimum requirements of this ordinance.

- c. Any person aggrieved by a decision of the Zoning Administrator may demand a review of the plan by the Planning Commission pursuant to section 24.5 of this ordinance.

24.11.9.3 VARIATION AND WAIVER

- a. The Zoning Administrator may vary or waive the requirement of a landscape plan in whole or in part together with improvements required herein upon a finding that requirement of such plan and/or improvement would not forward purposes of this ordinance or otherwise serve the public interest; provided that such variation or waiver shall result in a plan substantially in compliance with the approved site development plan together with all conditions imposed by the Planning Commission or Zoning Administrator thereof; and, provided further that such variation or waiver shall have no additional adverse visual impact on adjacent properties or public areas nor otherwise be inconsistent with section 24.11.9 of this ordinance. No variance or waiver of landscape plan shall be approved except after notice required by section 24.7.3.
- b. Whenever, because of unusual size, topography, shape of the property, location of the property, or other unusual conditions, excluding the proprietary interests of the developer, strict application of the requirements of section 24.11.9 would result in significant degradation of the site or adjacent properties, the requirement may be varied or waived by the Zoning Administrator; provided that such variance or waiver shall not be detrimental to the public health, safety or welfare, or to the orderly development of the area, or to sound engineering practices or to adjacent properties.

c. A developer requesting variation or waiver pursuant to this section shall file with the Zoning Administrator a written request which shall state reasons and justifications for such request together with such alternatives as may be proposed by the developer. The Zoning Administrator may approve, approve with conditions, or deny such request. In the case of conditional approval or denial, the Zoning Administrator shall notify the developer in writing as to reasons for such action within five (5) days of such decision.

24.11.9.4 CONTENTS

The landscape plan shall show the following:

a. The location, size and type of all proposed plant materials, and verification that minimum landscaping and screening requirements have been satisfied. Plant materials may be indicated in the following generic terms on the landscape plan: large or medium shade tree; screening tree; screening shrub; or street shrub. The required plant materials shall be chosen from a recommended species list approved by the Zoning Administrator. Plant material not listed may be substituted for required plant material only if such substitution is expressly approved by the Zoning Administrator.

b. Existing trees or wooded areas may be preserved in lieu of planting new materials in order to satisfy landscaping and screening requirements, subject to the Zoning Administrator's approval. In such case, the landscape plan shall indicate the trees to be saved; limits of clearing; location and type of protective fencing; grade changes requiring tree wells or walls; and trenching or tunnelling proposed beyond the limits of clearing. In addition, the applicant shall sign a conservation checklist approved by the Zoning Administrator to ensure that the specified trees will be protected during construction. Except as otherwise expressly approved by the Zoning Administrator in a particular case, such checklist shall conform to specifications contained in the *Virginia Erosion and Sediment Control Handbook*, pp. III-284 through III-297.

c. In addition, the landscape plan shall indicate existing landscape features on the site. Such features shall include, but shall not be limited to:

1. Wooded area indicated by general type (evergreen or deciduous) and location of tree line;
2. Small groups of trees and individual trees of six (6) inch caliper or greater, or ornamental trees of any size, indicated by common name, approximate caliper and location;
3. Natural features which distinguish the site, such as prominent ridge lines, rock outcroppings or water features;
4. Man-made features of local, historic or scenic importance;
5. Scenic vistas across the site from a public road.

The Zoning Administrator may require that any or all such features be preserved upon determination following a site inspection, that the features contribute significantly to the character of the Scottsville landscape and that the preservation of such features is necessary to satisfy the purpose and intent of this ordinance.

The purpose of this section is to protect unique amenities which could otherwise be irretrievably lost due to careless site design. It is not intended that this section be applied indiscriminately, nor to prohibit development.

24.11.9.5 MINIMUM STANDARDS

The following minimum standards shall apply:

- a. Large street trees shall be one and one-half (1½) inches to one and three-quarters (1¾) inches minimum caliper (measured six (6) inches above ground level) when planted. Medium street trees shall be one (1) inch to one and one-quarter (1¼) inches minimum caliper when planted. Evergreen trees for screening shall be a minimum four (4) feet to five (5) feet in height when planted. Shrubs for screening shall be a minimum eighteen (18) inches to thirty (30) inches in height when planted. Shrubs for street planting shall be minimum twelve (12) inches to eighteen (18) inches in height when planted.
- b. All trees to be planted shall meet the specifications of the American Association of Nurserymen. The planting of trees shall be done in accordance with either the standardized landscape specifications jointly adopted by the Virginia Nurserymen's Association, the Virginia Society of Landscape Designers and the Virginia Chapter of the American Society of Landscape Architects, or the road and bridge specifications of the Virginia Department of Transportation. Planting islands shall contain a minimum of fifty (50) square feet per tree, with a minimum dimension of five (5) feet in order to protect the landscaping and allow for proper growth. Wheel stops, curbing or other barriers shall be provided to prevent damage to landscaping by vehicles. Where necessary, trees shall be welled or otherwise protected against change of grade. All pervious areas of the site shall be permanently protected from soil erosion with grass or other ground cover or mulch material.

24.11.9.6 STREET TREES

The following requirements shall apply to street trees:

- a. Street trees shall be required along existing or proposed public streets in any development which is subject to site development plan approval in all commercial and industrial districts and residential development of a density of four (4) dwelling units per acre or greater. The Zoning Administrator may waive this requirement in certain cases where site conditions warrant an alternate solution.
- b. Street trees shall be selected from a current list of recommended large shade trees approved by the Zoning Administrator. Medium shade trees may be substituted, subject to the approval of the Zoning Administrator when site conditions warrant smaller trees. The Zoning Administrator may approve substitutions of species of large or medium shade trees.
- c. Street trees shall be planted with even spacing in a row adjacent to the public street right-of-way. One (1) large street tree shall be required for every fifty (50) feet of road frontage, or portion thereof, if twenty-five (25) feet or more. Where permitted, one (1) medium shade tree shall be required for every forty (40) feet of road frontage, or portion thereof, if twenty (20) feet or more. The Zoning Administrator may approve minor variations in spacing.
- d. In the case of development with units for sale, the trees shall be protected through an open space or easement arrangement and shall be maintained by a property owner's association.

24.11.9.7 PARKING LOT LANDSCAPING

All development subject to site development plan review shall include the following required landscaping for parking lots consisting of five (5) spaces or more:

- a. Street trees: Street trees shall be planted in accordance with section 24.11.9.6 along the public street frontage which abuts a parking lot. The trees shall be planted between the street right-of-way and the parking area, within the parking setback. If required street trees cannot be planted within the parking setback or within ten (10) feet of the street right-of-way due to sight distance, utility easement or other conflicting requirements, then the planting strip shall be enlarged to accommodate the trees. If this requirement creates a hardship by causing the relocation of required parking spaces, then the additional planting area may be counted toward the interior landscaping requirement;
- b. Interior landscaping: Exclusive of the requirements of section 24.11.9.7.a and c, an area equal to five (5) percent of the paved parking and vehicular circulation area shall be landscaped with trees or shrubs. This shall include one (1) large or medium shade tree per ten (10) parking spaces or portion thereof, if five (5) spaces or more. Interior landscaping shall be located in reasonably dispersed planting islands or perimeter areas. Shrub plantings adjacent to a building shall not be counted as interior landscaping;
- c. Additional plantings along public streets: When a parking lot is located such that the parked cars will be visible from a public street, then additional landscaping of low street shrubs shall be required between the street and the parking lot. Shrubs shall be in a single row planted five (5) feet on center. Alternate methods of landscaping designed to minimize the visual impact of the parking lot may be approved by the Zoning Administrator.

24.11.9.8 SCREENING

The following requirements shall apply to screening:

- a. When required, screening shall consist of a planting strip, existing vegetation, a slightly opaque wall or fence, or combination thereof, to the reasonable satisfaction of the Zoning Administrator. Where only vegetative screening is provided, such screening strip shall not be less than twenty (20) feet in depth. Vegetative screening shall consist of a double staggered row of evergreen trees planted fifteen (15) feet on center, or a double staggered row of evergreen shrubs planted ten (10) feet on center. Alternate methods of vegetative screening may be approved by the Zoning Administrator. Where a fence or wall is provided, it shall be a minimum of six (6) feet in height and plantings may be required at intervals along such fence or wall.
- b. Screening of parking lots shall not be counted toward the interior landscaping requirement. When screening is required along the frontage of public streets, the Zoning Administrator shall determine if the street tree requirement has been met.
- c. Screening shall be required in the following instances:
 - 1. Commercial and industrial uses shall be screened from adjacent residential and rural areas districts.
 - 2. Parking lots consisting of four (4) spaces or more shall be screened from adjacent residential and rural areas districts.
 - 3. Objectionable features including, but not limited to, the following uses shall be screened from adjacent residential and rural areas districts and public streets:
 - (a) Loading areas,
 - (b) Refuse areas,

- (c) Storage yards,
 - (d) Detention ponds,
 - (e) Recreational facilities determined to be of objectionable character by the Zoning Administrator other than children's play areas where visibility is necessary or passive recreation areas where visibility is desirable.
4. Double frontage residential lots shall be screened between the rear of the residences and the public right-of-way when deemed appropriate by the Zoning Administrator.
 5. The Planning Commission may require screening of any use, or portion thereof, upon determination that the use would otherwise have a negative visual impact on a property listed on the Virginia Historic Landmarks Register.

24.11.9.9 TREE CANOPY

- a. The foregoing notwithstanding, a minimum tree canopy shall be provided in accordance with this section. *Tree canopy* or *tree cover* shall include all areas of coverage by plant material exceeding five (5) feet in height at a maturity of ten (10) years after planting. Selection of species for planting shall be in accord with section 24.11.9.4.a. Specifications for plantings shall be in accord with section 24.11.9.5.b. Existing trees to be preserved in accordance with section 24.11.9.4.b together with trees required under sections 24.11.9.6, 24.11.9.7 and 24.11.9.8 shall count toward satisfaction of minimum tree canopy.
- b. The following minimum requirements shall apply:
 1. Ten (10) percent tree canopy for a site to be developed with commercial, office or industrial uses;
 2. Ten (10) percent tree canopy for a residential site to be developed at a gross density of twenty (20) dwelling units per acre or more;
 3. Fifteen (15) percent tree canopy for a residential site to be developed at a gross density of more than ten (10) but less than twenty (20) dwelling units per acre;
 4. Twenty (20) percent tree canopy for a residential site to be developed at a gross density of ten (10) or fewer dwelling units per acre.
- c. In calculation of land area subject to this section, the following areas may be deducted at the option of the developer:
 1. Farm land or other areas devoid of woody materials at time of adoption of this section;
 2. Recreation areas;
 3. Open space areas;
 4. Land dedicated to public use;
 5. Playing fields and recreation areas attendant to schools, day care and the like;
 6. Ponds or lakes deemed by the Planning Commission to constitute a desirable open space amenity;

7. Areas required for preservation of wetlands, floodplain or other areas required to be maintained in natural state by this ordinance or other applicable law;
8. Areas approved by the Zoning Administrator in accord with section 24.11.9.3.

Deductions provided above shall be cumulative but shall not be duplicative.

- d. Where existing trees are maintained, a canopy bonus shall be granted as follows:
 1. Area of canopy shall be calculated at ten (10) years of additional maturity;
 2. The resultant area shall be multiplied by a factor of 1.25.

24.11.9.10 GENERAL

- a. Condominium and common wall projects of all types shall indicate on the site development plan those areas reserved for rental purposes and those areas reserved for sale purposes.
- b. One (1) set of approved plans, profiles and specifications shall be at the site at all times when work is being performed.
- c. Upon the completion of all required water, sewer and gas lines shown on the approved site development plan, the developer shall submit to the Zoning Administrator three (3) copies of the completed record or as-built site development plan or location plat for all water, sewer, gas lines and easements certified by an engineer or surveyor. The record or as-built utility plan shall be submitted at least one (1) week prior to the anticipated occupancy of any building or block of buildings for the review and approval by the Zoning Administrator for conformity with the approved site development plan, this ordinance and regulations of the Town and state agencies.